

FORM TO BE USED BY A PRISONER IN FILING A CIVIL RIGHTS COMPLAINT

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA(1) Anthony Vone Caiby HX-8170
(Name of Plaintiff) (Inmate Number)SCF GPO, Box 244 Grakford Pa 19426
(Address)(2) _____
(Name of Plaintiff) (Inmate Number)_____
(Address)(Each named party must be numbered,
and all names must be printed or typed)

vs.

(1) Gary Haidle Warden(2) Joseph McCoy Deputy Warden of Security(3) Jane/John Does
(Names of Defendants)(Each named party must be numbered,
and all names must be printed or typed)3:18-CV-1120

(Case Number)

CIVIL COMPLAINT

FILED
SCRANTON

MAY 31 2018

PER

DEPUTY CLERK

TO BE FILED UNDER: ☒ 42 U.S.C. § 1983 - STATE OFFICIALS☐ 28 U.S.C. § 1331 - FEDERAL OFFICIALS

I. PREVIOUS LAWSUITS

- A. If you have filed any other lawsuits in federal court while a prisoner, please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:

18-132 dropped via Fed.R.Civ.P. 41.1(b) motion, subsequently
May 9, 2016 a Fed.R.Civ.P. 60(b) motion was filed for (3), (6) fraud
upon the court in the Eastern District of Pa

II. EXHAUSTION OF ADMINISTRATIVE REMEDIES

In order to proceed in federal court, you must fully exhaust any available administrative remedies as to each ground on which you request action.

- A. Is there a prisoner grievance procedure available at your present institution? ☒ Yes ☐ No
- B. Have you fully exhausted your available administrative remedies regarding each of your present claims? ☐ Yes ☐ No
- C. If your answer to "B" is Yes:

1. What steps did you take? I filed an initial grievance about some of my concerns yet they were not fully resolved. Transferred before I could exhaust
2. What was the result? I was ~~was~~ able to fully exhaust as I was transferred, and that I had no time limit to file a grievance or to appeal a grievance only a two step process

- D. If your answer to "B" is No, explain why not: Because everything was covered up eventually, I was transferred to State Prison. This was there policy/practice

III. DEFENDANTS

- (1) Name of first defendant: Gary Hardle
 Employed as Warden at Monroe County Correctional Facility
 Mailing address: 4250 Manor Dr Stroudsburg Pa 18360
- (2) Name of second defendant: Joseph McCoy
 Employed as Deputy Warden of Security at Monroe County Correctional Facility
 Mailing address: 4250 Manor Dr Stroudsburg Pa 18360
- (3) Name of third defendant: Jane/John Doe
 Employed as Various Unknown Individuals at Monroe County Correctional Facility
 Mailing address: 4250 Manor Dr Stroudsburg Pennsylvania 18360

(List any additional defendants, their employment, and addresses on extra sheets if necessary)

IV. STATEMENT OF CLAIM

(State here as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach no more than three extra sheets if necessary.)

1. See: accompanying Complaint pg#s 1-14

2.

3.

V. RELIEF

(State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.)

1.

Compensatory damages in the amount of 1,500,000 against each defendant
Punitive damages in the amount of 3,500,000 against each defendant
Preliminary injunction against all defendant to get them to stop calling up to
his prison, and harassing me, and or other conspired, solicited actions/behavior

2.

3.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 27 day of May, 20 18.


(Signature of Plaintiff)

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

UNITED STATES DISTRICT COURT

for the

District of _____

Division _____

Anthony Vane Caiby

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Gary Heidle Et al.

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No. _____

(to be filled in by the Clerk's Office)

Jury Trial: (check one) ☒ Yes ☐ NoFILED
SCRANTON

MAY 31 2018

PER [Signature]
DEPUTY CLERK

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Anthony Vane Caiby

Street Address

PO Box 244

City and County

Montgomery

State and Zip Code

Pennsylvania 19426 0244

Telephone Number

(610) 489-4151

E-mail Address

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

Defendant No. 1

Name
 Job or Title (if known)
 Street Address
 City and County
 State and Zip Code
 Telephone Number
 E-mail Address (if known)

Gary Haidle

Warden

4250 Manor Dr

Stroudsburg Monroe County

Pennsylvania 18360

(570) 922-3232

Defendant No. 2

Name
 Job or Title (if known)
 Street Address
 City and County
 State and Zip Code
 Telephone Number
 E-mail Address (if known)

Joseph McCoy

Deputy Warden or Security

4250 Manor Dr

Stroudsburg Monroe County

Pennsylvania 18360

(570) 922-3232

Defendant No. 3

Name
 Job or Title (if known)
 Street Address
 City and County
 State and Zip Code
 Telephone Number
 E-mail Address (if known)

Jane Doe / John Doe

Various unknown positions/titles

4250 Manor Dr

Stroudsburg Monroe County

Pennsylvania 18360

(570) 922-3232

Defendant No. 4

Name
 Job or Title (if known)
 Street Address
 City and County
 State and Zip Code
 Telephone Number
 E-mail Address (if known)

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal question

☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

28 U.S.C. § 1983 and the 1st, 8th & 14th Amendment of the U.S. Constitution

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, (name) Anthony Vane Caiby, is a citizen of the
State of (name) Pennsylvania.

b. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated
under the laws of the State of (name) _____,
and has its principal place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, (name) Gary Haidle Et al., is a citizen of
the State of (name) Pennsylvania. Or is a citizen of
(foreign nation) _____.

The defendant (name) Joseph Mc Coy

The State of (name) Pennsylvania

The defendant (name) Joseph Mc Coy

The State of (name) Pennsylvania

b. If the defendant is a corporation

The defendant, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.
Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

Compensatory damages in the amount of \$1,500,000 and \$3,500,000 in punitive damages

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

See: Attached Complaint Pg #s 1-14

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

\$1,500,000 in compensatory damages
\$3,500,000 in punitive damages

A Declaration ruling on the constitutionality of said Policy/Custom

For a multitude of constitutional, and civil rights violations by those operating under Color of State Law

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: May 27, 2018

Signature of Plaintiff

Printed Name of Plaintiff

Anthony V. Caib
Anthony V. Caib

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

Mr. Anthony Vone Caiby
No. HX-8170
SCI @ Graterford
P.O. Box 244
Graterford, Pennsylvania 19426-0244

May 27, 2018

Peter Walsh
Clerk of Courts
William J. Nealon
Federal Building & U.S. Courthouse
235 North Washington Avenue
P.O. Box 1148
Scranton, Pennsylvania 18504-1148


RE: CIVIL COMPLAINT

Dear Clerk:

Enclosed is a 28 U.S.C. § 1983 Pro se form completed as well as three Exhibits NOs.1-3 totaling 12, pgs. I used both complaint forms as i did not know which one I should use. I have also included a motion for appiontment of counsel; for purposes of discovery, and investigation as my incarceration impedes this.


Thank you very much for your time have a wonderful day!

Respectfully,


Anthony Vone Caiby

C.c. File

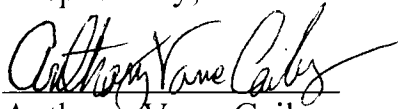
PS Can I, please have a copy of the Middle District Rules sent to this prisons library!



Dear Sir:

I, just want to say this last thing, I am not a lawyer, I did not go to law school, and i am proceeding pro se, because I cannot afford an attorney, and so you must please excuse me if I am make mistakes but to quote *R. Tagore* “ ***If you shut the doors to errors the truth, will be shut out.***” And, so I beg your pardon if I’ve made mistakes. Thank you very much for your patience, have a wonderful day!

Respectfully,



Anthony Vone Caiby

"IT is possible for a single individual to defy the whole might of an in just empire to save his honor, his religion, his soul and, lay the foundation for empires fall or its regeneration"

Mahatma Gandhi

"That which is repressed will find expression"

Sigmund Freud

I have been in this institution for fourteen months and, since I have been here, it has gotten worse to the point where (staff/their inmate flunkies) are bold enough to try and, tell people that they cannot petition the courts and, file suits for prison conditions/violations of civil/constitutional rights. These rights are guaranteed to us all by both the United States and, Pennsylvania Constitutions; which is the Supreme Law of the Land. No one is above the law and, the **Rule of Law's** first rule that the "Government has to follow its own rules." To quote the United States Supreme Court "The Constitution Does Not Stop At The Prisons Gates." It is in the air, water, breath, and, soul of us all, as it is the bedrock, the foundation of this great nation that we call America.

However, at this prison, SCI Graterford they seem to take a different view of this; they seem to think that they make the laws and, that they set the rules and, that none of the above applies. It is as this place is a slave plantation or a gulag. It is as if this is Nazi Germany or Stalinist Russia; or any other repressive totalitarian state where human/civil rights do not exist. The law as you know is a group of rules promulgated and, enforced by the government that permits what is right and, prohibits what is wrong. These people (staff) are entrusted by the people to do just that; sadly this is not the case. As instead of enforcing the law they are breaking it. A conspiracy/wall of silence exist that is impenetrable those who speak out or heed to their conscience are targeted for retaliation and, or sabotage; so others learn to keep quiet!

For my prison activism standing up for my rights and, the rights of others I have been targeted, harassed, sabotaged, snuck, assaulted etc. . . . Yet I remain undeterred as I believe that you should never give in to such tactics but, fight them, stand up to them and, make a change. This is the American way and, if you think about it what if so many other people in history would have quit, where would we be today. What if the Mahatma would have tired on his salt march? What if Dr. King didn't have a dream? What if Paul Revere would never climbed on his steed and, yelled "**the British are coming**"? What if Dietrich Bonhoeffer would have cowed to the Gestapo? What if Patton had not pushed through the bulge; or Fanny Lou Hammer let the savage beating she took intimidate her, where would we be today? And, so this is why I fight so hard as I am inspired to do so by the great people who came before me.

Now I know that some people might say that we are in prison and, that we are here to be punished and, thus deserve mal-treatment. Fair enough but, we are still human beings, children of God, and, citizens of these United States with rights guaranteed by the Constitution. Being away from our loved ones and, having limited choices and, decisions made for us is our punishment. So it boils down to this, spankings v. time outs. The running joke, here is that, if we were dogs and, the public found out about what was going on they'd be outraged. (we laugh as not to cry as this is probably true)

I feel that all human beings can be redeemed and, that sadist should not be allowed to justify their sick fetish to inflict pain and, suffering on their fellow human beings; by using the excuse that we are criminals etc. and, thus deserving of such treatment. As we are again citizens with constitutional rights in particular the Eighth Amendment of the U.S. Constitution's prohibition against cruel and, unusual punishment aka torture.

WE in this prison are not POW'S and, this is not Abu Ghraib or Guantanamo Bay; this is SCI Graterford. When the atrocities that was going on in those places were exposed, people the world over were appalled. And, this was overseas and, those were so called terrorist so how is America and, the World going to react when they find out what is taking place right here in Pennsylvania; a stone's throw away from Philadelphia the birth place of our nation and , the place where the constitution was written and, the Declaration of Independence was

composed. I am not a betting man but, I would venture to say that they would be aghast, perturbed, and, several levels of angry.

One of the worst things to be in America is Un-American and, this is what this Unconstitutional Policy/ Custom employed in this prison is. Now we go all around the world dropping bombs in the name of freedom, justice, and, democracy and, yet deny our own citizens the equal protections/ rights guaranteed by the constitution. How could this be? Not in America right; this is what I thought until I saw and, experienced it, myself!

The Unconstitutional policy/Custom that I mentioned above again used in the "war on terror" in places like Gitmo et al. and, they consist of but, are not limited to psychic driving, emotionally laden cue statements, psychic bombardment, noise torture, the reverse line up, false memories, the Reid technique etc. Some of these are used by the military, some are used by psychologist and, some by law enforcements so it's a tripartite/combo of the three. These tactics are designed to break the human spirit, emasculate and, turn people into docile meek slaves. All are expected to participate or again face retaliation or sabotage both inmate and, staff alike. Needless to say this "rat culture" has destroyed the social fabric of this prison; where you cannot trust anyone (think New Mexico prison). The atmosphere is toxic to say the least.

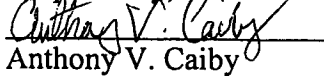
I experienced the same system in the Monroe County Correctional Facility for forty-three months I was there fighting my case; and now for another fourteen months that I have been in SCI Graterford. And, I think that it is no coincidence that both of these correctional facilities guards/employees or anyone else who sets foot in their doors be it vender, repairman, or volunteer has to go through the Pennsylvania Department of Corrections Training Center in Elizabethtown, Pa. As they act the same and, employ the same tactics this allows for the easy inference to say circumstantially that this theory is valid. Further investigation, I believe would confirm this.

This Administration (Governor Wolf's) has gotten rid of most of the older officers through attrition to save money and hired new officers/staff to save money. But, when you look at it it's like Moses when he took the people out Egypt, he kept them in the wilderness for forty years? So that he would only have people who knew his way and, not anyone who knew the old ways; this is why, in my opinion I believe, this was done. To implement this new system right under an unsuspecting public's noses and, to do this you need people who do not know any better e.g. trained in the new ways.

I am going to end this letter as I do not want to take up to much of your time but, before I do I would like to say this, that it gets much deeper than I described. And, it needs to be investigated so that it can be exposed! This oppression is like 1984 with the thought police it's like the Stasi or the KGB. Nothing like I have seen. And, I am forty two years old and, have been incarcerated for most of my life. Both in my native New York and, in Pennsylvania. This is not my first time in this prison and, yes I along with my fellow prisoners are convicted felons however, I have never seen anything more oppressive and, stifling to free thought etc... Sometimes I want to pinch myself to see if this is all just a bad dream. Unfortunately it is all too real; and, it should not be happening anywhere let alone America.

I want to thank you for taking the time to read this letter; I know that you are busy so thanks. I also want to say that I have dissected this program and, can provide a more in-depth analysis to those who are interested. Thank you very much have a wonderful day!

Respectfully,


Anthony V. Caiby

No. HX-8170

SCI @ Graterford

P.O. Box 244

Graterford, Pennsylvania 19426-0244

CIVIL COMPLAINT

1) I was in the Monroe County Correctional Facility (herein after M.C.C.F.) for forty three months, during this time I was the victim of a sustained campaign of harassment, that continues until this day. This was part of an Unconstitutional Policy/Custom employed at the M.C.C.F. that allowed the following constitutional violations to occur.

2) I left the M.C.C.F. on September 1, 2016 the last time I was poisoned (iodine was put into my food {allergic to shell fish}) was on August 31, 2016. I was transferred the next day to SCI Graterford.

3) From the day I, arrived at the M.C.C.F. from the Luzerne County Correctional Facility; February 22, 2013 until the day I left September 1, 2016 forty three months I was the victim of a sustained campaign of harassment, and violations of my constitutional rights. Due to an Unconstitutional Policy/Custom implemented, and maintained by those acting under Color of State Law.

4) On October 6, 2013 I, got into a physical altercation with fellow inmate Darren Elias on B-blk at approx. 6:15 P.M., and suffered multiple contusions to the head, and face, inmate Elias was paid \$1,000 for this hit, that was paid for by an unknown source.

- 5) On Monday February 2, 2016, I was engaged in a physical altercation at approx. 5:00 P.M. with A-blk unit worker Corey Otto. Mr. Otto threw my tray at me, I came across the meal cart, and we began to fight.
- 6) During the course of this struggle inmate Edward Yale put me into a head lock with my hands dangling, I was cut on my right ring finger. Inmate Darren Neal was present as well as, all the other inmates on the block at that time.
- 7) A response team was called to the block co's Nunez, and Allie broke up the fight, and cuffed me, after I got inmate Yale off of me; they escorted me off the block, and I offered no resistance whatsoever.
- 8) On route to the intake area in the sally port without provocation I, was suddenly attacked from behind by co Kofax who slammed my head into a window pane this caused a protuberance on my forehead. This attack was all recorded on video via a hand held camera personed by co Devers. Lt. Joynes was supervising, also present was co Perez amongst others.
- 9) Once within the intake area nurse Grace Ramos preformed triage on my wounds.
- 10) There was swelling on my forehead, and a deep laceration to my right ring finger that was bleeding profusely. Pictures were taken of those injuries, and I was told that I would see a doctor the next day. The State Police were never called per protocol.

11) When the officer from Ablk (?) co Smithers was summoned to the intake area Lt. Joynes who was shift commander, and all others were assembled, and they viewed on a video tape that was subsequently destroyed; that I had been cut, plus that my head had been slammed into a window by co Kofax, no one ever interviewed me nor, did they call the State Police.

12) Because, of this my right ring finger was permanently disfigured; this can be shown from the finger prints, I took upon turning myself in on October 15, 2012 at the Luzerne County Correctional Facility, and from any subsequent finger prints taken after February 2, 2015.

13) The next day Tuesday February 3, 2015 my wounds were treated, and told by the nurse that I would see a doctor; but this was not the case, as the assault was covered up. (I found out almost a year later that my hand had been sliced by inmate Gregory Cousar who was my cellmate on B-blk B206 cell {late Summer 2015})

14) During the course of all of this, from the day I entered the M.C.C.F. on February 22, 2013 to September 1, 2016. I was the victim of a campaign of harassment that was part of an Unconstitutional Policy/Custom. For which I have several actions pending in the Pennsylvania Office of Open Records (OOR) at **AP#2017-1814**, and Civil action No. **8756CV2017** in the Monroe County Court of Common Pleas, and OOR **AP#2018-0064**, and in the Eastern District of Pennsylvania at No. **18-132**. I

am under currently under renal/neural impulse control since January 7, of this year.

And, I filed a **60 (B)** motion with the court on May 9, 2018 about this.

15) This Policy is akin to that which was used in Abu Ghraib, and Guantanamo Bay, it is described in detail in the accompanying **Exhibit 1 A-H** Note: This Policy came from the Pennsylvania Doc Training Facility in Elizabethtown Pa. Monroe county adopted this after the suit of Katona V. Assure, Civil No. **1:11-CV-1817**; where he sued Monroe county under the theory of an Unconstitutional Policy/Custom for failure to properly train. This forced the county to outsource their in-house training, that was in place for years.

16) On July 14, 2015 an altercation took place during a cell extraction, where I was subsequently charged, and pled guilty to resisting arrest. Inmate Brandon Nuse was told by Sgt. Armond that I was rapist, and a pedophile.

17) In mid-November of 2015, I got into an altercation with inmate Ramuel Robinson in cell two in the RHU, because of the rumors stated in paragraph 16 et al.

18) During this time manufactured rumors spread by staff, and informants/agents provocateurs that I was a snitch, rapist, and a pedophile began to escalate.

19) I filed a grievance about this as this was scienter. But, this did not help.

20) On February 29, 2016 during the morning medication line nurse Bobara Forceness (who upon information, and belief is suspected of bringing in beta blockers, pathogens, vectors and other spores used to infect inmates both male, and

female) threatened me, and said "We'll run you outta here" in her *Jersey* accent. I, replied with a dignified response, and ignored her.

21) The next Saturday March 6, 2016 at approx.. 2:15 while in the A-blk recreation yard. I got into a physical altercation with inmate Michael Ford who was bullying inmates Justin Corliss, George Widmer and John Tadesco amongst others, he tried to bully me too, and we started to fight. During the course of this fight, I was sliced on my right hand with a razor, and sucker punched from the blindside. (**A search team searched the block that morning co Scott Lockley searched my cell**)

22) My right ring, middle, and index fingers were cut, all of this was recorded on A-blks rec-yard video system, and suppressed. The State police were never called, and the tape was eventually erased, and then destroyed (Note: there was also a hidden camera in my cell with night vision capabilities A2-01 cell)

23) Officer Cecil Johnson was the officer on the block, co Scott Jackson was in the control bubble where some of the monitors for the surveillance cameras are held.

24) A couple of days later Michael Ford, and several other inmates had approx.. \$ 300.00 placed on their inmate accounts via money order for this orchestrated hit solicited by unknown parties. (a multitude of other people were cut, these assaults were covered up as well.)

26) Upon information, and belief a couple of days later Warden Gary Haidle came to that bubble, and erased the tape.

27) On July 14, 2016 I was taken off of A-blk to the intake area where some technicians were, from the company who Monroe county contracts to service the facilities Central Monitoring System, and they permanently erased the footage of the aggravated assault listed in paragraph[s] 21, and 22 (the erasing of the tapes is upon information, and belief)

28) Later that same day, I was taken to J-Unit (where before cameras were placed there, they used to beat inmates up) which is the medical isolation unit, and its isolated location away from other inmates, and potential witnesses made it an ideal place for retaliatory attacks. I was housed there from July 14, 2016 until September 1, 2016.

29) During my time on J-unit, I would constantly break out in hives(as iodine was placed in my milk, and peanut butter. I am allergic to shell fish so this would make me break out in hives regularly, it also caused swelling of my face, made throat itch, and make my breathing labored, as I am asthmatic.

30) During the course of my stay I was regularly poisoned this way. I was isolated, and basically in administrative segregation for which I filed a grievance **2016-G-0055** Inmate No. **OCA20063081** about this maltreatment, and conditions. As I being treated differently from those similarly situated, who were housed on B-blk.

31) I signed up for sick-call, numerous times, about these allergic reactions, and was I, assessed by several different nurses, and prescribed *Zertec*.

32) In mid-August 2016 I, had an interview/PSI in front of a Monroe County Adult Parole, and Probation person (?) (white female mid - to - late - forties, possibly early fifties).

33) At this interview I, gave her approx. 139 pages of materials, exposing my maltreatment in the M.C.C.F.

34) During the course of this conversation/PSI interview she assured me that it was not "personal."

35) This caused further retaliation as corrections officers C. Sellers, Wilson, and classification counselor K. Able amongst others were sitting outside the interview/multi-purpose room, and were visibly agitated.

36) In the latter part of August 2016, I wrote a letter to, the Honorable Judge Jon Mark exposing said policy/custom that is described in **Exhibit 1 A-H**.

37) In this letter I described how informants/agents provocateurs were placed on A-blk (maximum security) who were not supposed to be there; at the behest of the authorities.

39) These individuals were trained by staff to harass, steal, assault, and intimidate dissenters.

40) Personal as well as privileged legal was divulged to informants.

41) Recorded phone calls, and visiting conversations were divulged to informants.

42) These individuals were summoned to the medical department by appointed staff who were handlers (See: **Exhibit # 2 A-B**) using the pretext of a medical appointment.

43) During these medical appointments they were regularly debriefed, trained and given information, and instructions. Karl Able's was also used for this purpose.

44) This was not an official policy but, a custom that occurred for so long, that it had the force of law.

45) A short time after Judge Mark received my letter (I was in J-Unit) all of the informants/bullies were moved off of the block.

46) They were moved off of (A-blk maximum security) to (C-blk medium security) where they should have been.

47) As a result of this, the harassment/retaliation intensified. Because, of my activism.

48) On August 31, 2016 I, suffered a severe allergic reaction(s) due to the continuous poisoning of my food. I was also harassed via J-units speaker system.

49) On my way to a visit with Gregory A. Jones, and his wife, nurse Christine (?) was called to examine me as my face, and throat was swollen.

50) During this time frame I had been continuously been suffering from allergic reactions where I would break out in hives on my face, mouth, genitals, legs, chest, and stomach etc. . . .

51) Nurse Christine examined my face which was swollen, and gave me *Zertec*. Nurses Vodka, Ramos, Dillon, and others also witnessed these allergic reactions.

52) This was done in retaliation for me engaging in protected acts. For giving the Monroe County Adult Parole, and Probation information exposing maltreatment, writing Judge Mark, the press, civil/prisoner/human rights organizations, and lawyers exposing abuses. Most of these letters never left the building

53) After being treated by nurse Christine I, was taken to my visit with Mr. Jones, and his wife.

54) At the end of this visit the chain on my shackles caught the bottom of the metal stool that I was sitting on, I fell back with all of my full force, and weight onto my back; my glasses flew, and the co's asked me if I needed a stretcher, foolish pride made me get up with assistance, and I hobbled to my cell.

55) Once in my cell the adrenaline having worn off I, began to experience in severe pain.

56) I, along with the other two inmates in J-unit W. Mc Cray, and A. Counterment screamed, and banged, and eventually we got the officers to come to the block.

57) Nurse Donna Sutton was summoned, I was taken to the medical department and, my injuries were accessed

58) Nurse Sutton basically did nothing, but give me *Motrin*. Two officers were hovering close by, no pictures were taken nor was an ambulance called even though I told her I, was in extreme pain.

59) A short while later nurse Christine came to the unit, and gave me some pills that put me to sleep.

60) The next day Thursday September 1, 2016 despite my protest, that I was injured, I was transferred by the Monroe County Sheriff's Department deputies Blaney, and Lonke to SCI Graterford.

61) Upon intake at SCI Graterford I, informed all staff, officers as well as medical that I, was injured; where, when, and how.

62) I, was prescribed by the county *Zertec*, and several other medications, most of my medical records did not come to SCI Graterford with me.

63) My blood was drawn, and I gave a urine sample.

64) I was eventually X-Rayed on November 16, 2016, and diagnosed a short time later with scoliosis in the same area of my back where I, fell on August 31, 2016.

65) All of the constitutional violations alleged in the above paragraphs, arise out of the same series of transactions, and occurrences that allowed this to happen, because of acquiescence, and deliberate indifference of said Unconstitutional Policy/Custom.

66) Questions of law, and fact common to all defendants will arise.

67) All of the alleged constitutional violations stem from the same course of actions which is the implementation, and usage of the Unconstitutional Policy/Custom described, thus the defendants are merged, and liable for either their direct, inadvertent, acquiescent, or deliberate indifference to the plaintiff constitutional rights.

68) The defendants employed private investigators to dig up dirt, smear, and besmirch my name, and intimidate/blackmail me into not filing suit.

69) They investigated myself, family, friends, associates, and supporters.

70) We were harassed, family histories/secrets were exposed, and unethically, people were paid; all of this was done to cover up the above mentioned constitutional violations, and Obstruct Justice.

71) I, was not the only person subjected to this illegal, maltreatment due to this Unconstitutional Policy/Custom; as again my family, friends, associates, supporters, fellow inmates, and even reluctant staff suffered adverse actions because of this, Unconstitutional Policy/Custom.

72) This Unconstitutional Policy/Custom was not officially promulgated, and de jure, it was clandestine in nature, de facto, and it occurred in fact.

73) A campaign of invidious rumors, and lies was also hatched, and spread about me by staff, and their agents provocateurs/informants.

74) These persons were trained, and spread rumors about me that I was a snitch, rapist, pedophile, and a homosexual.

75) This was a State Created Danger, and since it was a known lie constitutes scienter.

76) They also employed informants/agents provocateurs who were paid/trained/instructed to impede both myself, and others from pursuing meritorious legal claims; using intimidation, assault, and embarrassing information gleaned from the use of private detectives paying people.

77) These actions constituted blackmail, extortion, and retaliation, and was used to thwart people's access to the courts.

78) Multiple assaults/thefts of legal work, and other personal property was committed by these people, and their agents, and covered up by persons Acting Under Color of State Law thus violating peoples constitutional rights, and Obstructing Justice.

79) Incoming/out-going Privileged Legal as well as regular mail was routinely opened up photo copied, and divulged to informants

80) Recorded phone, and visiting conversations were also divulged to informants.

81) I filed several grievances about these constitutional violations.

82) The last grievance that I filed was grievance number **2016-G-0055** A. Caiby **OCA20063081** which was not resolved.

83) The M.C.C.F did not at this time have a time limit for either filing or appealing a grievance.

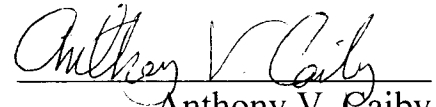
84) The Unconstitutional Policy/Custom employed within the M.C.C.F. created the conditions, environment, culture, and conspiracy of silence that allowed all of these constitutional violations, and Obstruction of Justice violations, to occur.

85) The defendants are liable either directly or constructively for allowing this Unconstitutional Policy/Custom to be created, implemented, exist, and thrive in violation of the plaintiff's, and others constitutional rights.

86) Gary Haidle, and William Mc Coy who were, and are the Warden, and Deputy Warden of Security respectively in the M.C.C.F. are under Pennsylvania Statute legally responsible for the orderly operation, and safety of inmates in the Monroe county prison.

87) Monroe county is by extension liable for allowing this Unconstitutional Policy/Custom through their conduct or lack thereof, and acquiescence, that was the cause, and is thus connected to all of the alleged constitutional violations.

Respectfully submitted,


Anthony V. Caiby

No. HX-8170

SCI @ Graterford

P.O. Box 244

Graterford, Pennsylvania 19426-0244

DECLARATION

I, Hereby declare under penalty of perjury that the foregoing is true, and correct
under penalty **28 U.S.C. § 1746**

DATED: May 27, 2018

Respectfully submitted,

Anthony V. Caiby

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